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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/088,014	03/14/2002	Yoshihisa Yamada	1163-0396P	4932
2292	7590	07/12/2005	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			SENF1, BEHROOZ M	
			ART UNIT	PAPER NUMBER
			2613	

DATE MAILED: 07/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/088,014	<b>Applicant(s)</b> YAMADA ET AL.	
	<b>Examiner</b> Behrooz Senfi	<b>Art Unit</b> 2613	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 2/22/2005, fwd 4/24/2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 12-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 12-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendment***

1. Applicant amendment (filed 2/22/2005, fwd 4/24/2005) canceled claims 1 – 11, and added new claims 12 – 23.

Applicant's arguments (filed 2/22/2005, fwd 4/24/2005) with respect to claims 12, 14 and 15 have been considered but are moot in view of the ~~new application of~~ Boyce (US 6,012,091) reference.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 12 – 17 and 20 - 21 are rejected under 35 U.S.C. 102(e) as being anticipated by Boyce (US 6,012,091).

Regarding claim 12, Boyce '091 discloses, "an image signal storage and reconstruction for receiving, storing and reconstructing a coded image signal fed from an image signal transmitting, for use in a communication environment" (i.e. figs. 1 - 2), and "a storage and reconstruction control unit, which outputs an intra frame request signal directing, in accordance with a request for storage, the image signal transmitting apparatus to transmit the coded image signal in which the entirety of an image is intra-

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frame coded, and also outputs a storage start signal for carrying out a storage starting operation" (i.e. fig. 4, controller 100, storage 320 and abstract, lines 17 – 20) and "a coded signal storage unit, which extracts, in accordance with the storage start signal, the information indicating the coding mode of the entirety of an image from the coded image signal transmitted from the image signal transmitting, and starts storing the coded image signal when it is detected that the input coding image is the one in which the entirety of an image is intra-frame coded" (i.e. fig. 3, intra-encoder 330, storage 320 and 340, col. 9, lines 54 – 67) where storage 320, stores the intra-coded frames.

Regarding claim 13, Boyce '091 discloses, "the intra-frame request signal is repetitively output at a predetermined (regular) interval" (i.e. col. 1, lines 49 – 51 and col. 3, lines 35 – 44).

Regarding claim 14, Boyce '091 discloses, "an image coding unit for coding an input image signal and transmitting the thus coded image signal to an image signal storage and reconstruction" (i.e. figs. 1 – 2, encoder 10, telecommunication 20 and decoder 30) and "a coding control unit which receives an intra frame request signal sent from the image signal storage and reconstruction (has been discussed earlier with respect to claim 12, above) and detects frequency (interval) of error occurrences, so as to control the frequency of the coded intra-frame coded image signal in which the entirety of an image is intra-frame coded, in accordance with the frequency of the intra-frame request signal and that of the error occurrences" reads on (i.e. fig. 4, 410 for sending extra I frame to recover the error, col. 1, lines 55 – 63 and col. 3, lines 35 – 45).

Regarding claims 15, 16 and 20, the limitations claimed are substantially similar to claims 12 and 14, and has been covered earlier, therefore the grounds for rejecting claims 12 and 14 also applies here. As for the additional limitation "an image decoding unit" please see (i.e. fig. 1, decoder 30).

Regarding claims 17 and 21, the limitation "wherein the storage and Reconstruction control unit requests the transmission of the coded image signal in which the entirety of an image is intra-frame encoded from the image signal transmitting by temporarily closing a communication circuit used for transmitting the coded image signal" as claimed, reads on (i.e. fig. 3, intra storage 340, that only store the I frame), in other-words the storage is open for intra frame coded and is close for all other frame types.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 18 – 19 and 22 – 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boyce (US 6,012,091) in view of Isu et al (US 6,862,320).

Regarding claims 19 and 23, Boyce '091 teaches "image signal storage and Reconstruction in an MPEG environment" as discussed in earlier with respect to the above claims 12 and 14. Boyce '091 does not particularly specify the claimed "header information associated with the MPEG-4 standard". However, the above features are

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well known and used in the prior art of the record as evidenced by Isu '320 (i.e. 5, VOL header 37 and VOP header analyzer 38 associated in MPEG-4). Therefore taking the combined teaching of Boyce '091 and Isu '320 as a whole, it would have been obvious to one skilled in the art at the time of the invention was made to use MPEG-4 coding scheme in the video telecommunication system of Boyce '091, to improve the coding efficiency.

Regarding claims 18 and 22, combination of Boyce '091 and Isu '320 teaches, "the information indicating the coding mode is extracted from header information" (i.e. col. 8, lines 24 – 30 of Isu).

### Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Behrooz Senfi** whose telephone number is **(571) 272-7339**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Mehrdad Dastouri** can be reached on **(571) 272-7418**.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**Or faxed to:**

**(703) 872-9314**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relative to the status of the application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

B. M. S. 

7/6/2005

  
**VU LE**  
**PRIMARY EXAMINER**